

**FINDINGS OF CONFORMANCE
MULTIPLE SPECIES CONSERVATION PROGRAM
For California Investment Bankers Subdivision
TM 5488; ER 06-14-021**

May 31, 2007

I. Introduction

The project is a subdivision of 4.35 acres into 13 residential parcels. The project site is located at the intersection of Single Oak Drive and Rockcrest Road in the Lakeside Community Planning Area of unincorporated San Diego County.

The project site contains an existing house, accessory structures, and landscaping which will be removed. Only one habitat is found onsite: non-native grassland. The remainder of the site is developed and/or disturbed. No sensitive plant species or sensitive wildlife species were observed on site, and no sensitive species are expected because the site is surrounded by existing residential development. The project site is not within a Pre-Approved Mitigation Area in the North Metro-Lakeside-Jamul segment of the County Subarea Plan and is not considered a Biological Resource Core Area (BRCA). The site is not part of any wildlife corridors or linkages.

The subdivision would directly impact the entire project site through clearing, grading and construction for additional residences, fire-clearing, driveways, and a road. No offsite improvements are required. Impact acreages are listed in Table 1. Mitigation will consist of off-site habitat purchase, as detailed in the Mitigation Negative Declaration (MND).

Table 1. Impacts to Habitat and Required Mitigation

Habitat Type	Tier Level	Existing On-site (ac.)	Proposed Impacts (ac.)	Mitigation Ratio	Required Mitigation
Non-native grassland	III	1.2	1.2	0.5:1	0.6
Developed	IV	1.5	1.5	N/A	N/A
Disturbed	IV	1.65	1.65	N/A	N/A
Total:	--	4.35	4.35	--	0.6

The findings contained within this document are based on County records, staff field site visits and a Habitat Evaluation (RC Biological Consulting, December 21, 2006). The information contained within these Findings is correct to the best of staff's knowledge at the time the findings were completed. Any subsequent environmental review completed due to changes in the proposed project or changes in circumstance will require new findings based on the environmental conditions at that time.

The project has been found to conform to the County's Multiple Species Conservation Program (MSCP) Subarea Plan, the Biological Mitigation Ordinance (BMO) and the Implementation Agreement between the County of San Diego, the CA Department of Fish and Game and the US Fish and Wildlife Service. Third Party Beneficiary Status

and the associated take authorization for incidental impacts to sensitive species (pursuant to the County's Section 10 Permit under the Endangered Species Act) shall be conveyed only after the project has been approved by the County, these MSCP Findings are adopted by the hearing body and all MSCP-related conditions placed on the project have been satisfied.

II. Biological Resource Core Area Determination

The impact area and the mitigation site shall be evaluated to determine if either or both sites qualify as a Biological Resource Core Area (BRCA) pursuant to the BMO, Section 86.506(a)(1).

A. Report the factual determination as to whether the proposed Impact Area qualifies as a BRCA. The Impact Area shall refer only to that area within which project-related disturbance is proposed, including any on and/or off-site impacts.

The Impact Area does not qualify as a BRCA since it does not meet any of the following BRCA criteria:

i. The land is shown as Pre-Approved Mitigation Area on the wildlife agencies' Pre-Approved Mitigation Area map.

The land is not shown as Pre-Approved Mitigation Area on the wildlife agencies' Pre-Approved Mitigation Area map.

ii. The land is located within an area of habitat that contains biological resources that support or contribute to the long-term survival of sensitive species and is adjacent or contiguous to preserved habitat that is within the Pre-Approved Mitigation Area on the wildlife agencies' Pre-Approved Mitigation Area map.

The land is a 4.35-acre parcel containing an existing house. No County-sensitive plant or wildlife species were observed on site. The site will not contribute to the long-term survival of sensitive species due to its small size, existing on-site residential structures and surrounding residential development. The land is not adjacent or contiguous to any preserved habitat, nor any land designated as Pre-Approved Mitigation Area.

iii. The land is part of a regional linkage/corridor. A regional linkage/corridor is either:

- a. Land that contains topography that serves to allow for the movement of all sizes of wildlife, including large animals on a regional scale; and contains adequate vegetation cover providing visual continuity so as to encourage the use of the corridor by wildlife; or**
- b. Land that has been identified as the primary linkage/corridor between the northern and southern regional populations of the California**

gnatcatcher in the population viability analysis for the California gnatcatcher, MSCP Resource Document Volume II, Appendix A-7 (Attachment I of the BMO.)

The land is not part of a regional linkage or corridor. The site is surrounded by residential development in all directions.

- iv. The land is shown on the Habitat Evaluation Map (Attachment J to the BMO) as very high or high and links significant blocks of habitat, except that land which is isolated or links small, isolated patches of habitat and land that has been affected by existing development to create adverse edge effects shall not qualify as BRCA.**

The Habitat Evaluation Map shows the site as developed. The land does not link significant blocks of habitat, as it is surrounded by residential development.

- v. The land consists of or is within a block of habitat greater than 500 acres in area of diverse and undisturbed habitat that contributes to the conservation of sensitive species.**

The land is not within a block of habitat greater than 500 acres of diverse and undisturbed habitat. The 4.35-acre site is surrounded by existing residential development.

- vi. The land contains a high number of sensitive species and is adjacent or contiguous to surrounding undisturbed habitats, or contains soil derived from the following geologic formations which are known to support sensitive species:**
- a. Gabbroic rock;**
 - b. Metavolcanic rock;**
 - c. Clay;**
 - d. Coastal sandstone**

The land does not contain sensitive species. Adjacent lands are developed with residential uses. Soils on-site are Vista coarse sandy loam and Chino silt loam, which are not known to support sensitive species.

B. Report the factual determination as to whether the Mitigation Site qualifies as a BRCA.

Mitigation will occur within a County-approved conservation/mitigation bank or at a site that meets one or more of the criteria above.

III. Biological Mitigation Ordinance Findings

The project will not impact Critical Populations of Sensitive Plant Species, Significant Populations of Narrow Endemic Animal Species, Narrow Endemic Plant

Species or Sensitive Plants or proposes impacts within a Biological Resource Core Area. Project Design Criteria, including Attachments G and H, are not required.

IV. Subarea Plan Findings

Conformance with the objectives of the County Subarea Plan is demonstrated by the following findings:

- 1. The project will not conflict with the no-net-loss-of-wetlands standard in satisfying State and Federal wetland goals and policies.**

Since there are no wetlands on the project site, the project will not conflict with the no-net-loss-of-wetlands standard.

- 2. The project includes measures to maximize the habitat structural diversity of conserved habitat areas including conservation of unique habitats and habitat features.**

The project will impact non-native grassland. The habitat onsite is not diverse, and the small size of the site and adjacent residential development make this site more suitable for development than on-site conservation. The offsite mitigation purchase will contribute toward maximizing diversity by preserving habitat in areas known to have unique habitats and habitat features.

- 3. The project provides for conservation of spatially representative examples of extensive patches of Coastal sage scrub and other habitat types that were ranked as having high and very high biological values by the MSCP habitat evaluation model.**

The site does not contain coastal sage scrub or any high or very high biological value habitats, as evaluated by the MSCP habitat evaluation model.

- 4. The project provides for the creation of significant blocks of habitat to reduce edge effects and maximize the ratio of surface area to the perimeter of conserved habitats.**

The project site is currently impacted by edge effects from on-site and surrounding residential development. Offsite mitigation as proposed by the project will contribute toward creation of large blocks of high quality habitat where edge effects are minimal and land is protected in perpetuity.

- 5. The project provides for the development of the least sensitive habitat areas.**

The project will impact the entire site, containing 1.2 acres of non-native grassland. Non-native grassland are typically considered sensitive within the MSCP. The project site is currently subject to indirect impacts from current residential development on-site and adjacent to it, resulting in minimal value for long-term conservation of habitat, sensitive plants or wildlife. Therefore, the development of

this site and offsite mitigation purchase is not considered to be an impact to sensitive habitat areas.

6. The project provides for the conservation of key regional populations of covered species, and representations of sensitive habitats and their geographic sub-associations in biologically functioning units.

No threatened, endangered, or narrow endemic species were detected on the project site and none are expected due to the site's small size and residential development on and adjacent to the site. Developing the site will not impact key populations of covered species, as none exist on site. Offsite mitigation as proposed by the project will contribute in the preservation of large blocks of habitat containing these habitats as well as other sensitive habitats in a biologically-functioning unit.

7. Conserves large interconnecting blocks of habitat that contribute to the preservation of wide-ranging species such as Mule deer, Golden eagle, and predators as appropriate. Special emphasis will be placed on conserving adequate foraging habitat near Golden eagle nest sites.

The project site contains non-native grassland and existing residential development. Adjacent land also contains existing residential development. The site does not provide a linkage or corridor between any large blocks of habitat, nor does it support significant mammal use. The site is not located in any known golden eagle territories or foraging areas.

8. All projects within the San Diego County Subarea Plan shall conserve identified critical populations and narrow endemics to the levels specified in the Subarea Plan. These levels are generally no impact to the critical populations and no more than 20 percent loss of narrow endemics and specified rare and endangered plants.

No critical populations or narrow endemic species were detected on the site. The site is not expected to contain any of these resources due to the site's small size, and existing residential development both onsite and surrounding the land in all directions.

9. No project shall be approved which will jeopardize the possible or probable assembly of a preserve system within the Subarea Plan.

Development of the project site will not jeopardize the assembly of a preserve system, as the site does not support sensitive species, does not contain high or very high quality habitat, and does not serve as a corridor or linkage for wildlife. In addition, existing residential development on and surrounding the site contributes to its low value for preservation. Offsite mitigation will contribute to the development of a preserve system through the purchase and preservation of high biological value areas within the Subarea Plan.

10. All projects that propose to count on-site preservation toward their mitigation responsibility must include provisions to reduce edge effects.

The site does not propose on-site preservation of habitat.

11. Every effort has been made to avoid impacts to BRCAs, to sensitive resources, and to specific sensitive species as defined in the BMO.

The project site is not within a Biological Resource Core Area. Habitats on-site include non-native grassland, which is considered sensitive within the MSCP. However, the habitat onsite is adjacent to existing residential development and does not present a viable location for long-term preservation. There were no threatened, endangered or narrow endemic species observed on-site during biological surveys conducted by RC Biological Consultants. Offsite purchase of habitat will contribute to the preservation of sensitive species in an area with long-term biological viability. Based on these findings, project impacts are not considered a significant impact to sensitive habitat or species, and the project site as a whole is not considered sensitive. Avoidance is not necessary, and project-related impacts are not considered significant once mitigation pursuant to BMO requirements is incorporated.

Christine Stevenson, Department of Planning and Land Use
May 31, 2007

MSCP Designation For California Investment Bankers TM 5488; ER 06-14-021



- Water Bodies
- MSCP_Designations - South**
- Hardline Preserve
- Pre-Approved Mitigation Area (PAMA)
- Major Amendment Area
- Minor Amendment Area
- Minor Amendment Area Subject to Special Considerations
- Conserved Subject to Agreement with Wildlife Agencies
- Santa Fe Valley Open Space II
- Santa Fe Valley 'D' Designator
- Otay Ranch Areas Where No Take Permits will be Issued
- Take Authorized Area
- Unincorporated Land in Metro-Lakeside-Jamul Segment
- Other